

1 **WO**

2
3
4
5
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
8

9 United States of America,

10 Plaintiff,

CR-07-1407-PHX-NVW

11 v.

12 Dannol Jeremiah Benally,

ORDER OF DETENTION

13 Defendant.

14
15 Defendant was released on his own recognizance on March 28, 2008. Pretrial
16 Services filed a Petition for Action on Conditions of Pretrial Release alleging that
17 defendant violated the terms of his release on October 15, 2008. Defendant appeared
18 before Magistrate Judge Michelle H. Burns on October 17, 2008. A detention and
19 pretrial release revocation hearing was set for October 22, 2008 before Magistrate
20 Judge Edward C. Voss.

21 Counsel for defendant advises the Court that defendant wishes to waive his right
22 to a hearing. The Court addressed defendant and advised defendant of his right to
23 remain silent, to continued representation by counsel, to provide evidence on his behalf,
24 and the government's obligation to prove that defendant violated at least one condition
25 of release. Defendant advised he understood these rights and confirmed that he
26 wanted to waive his right to a hearing.

27 The Court deems the waiver a submission and based on the allegations in the
28 petition, the Court finds that defendant violated at least one condition of release.
Further, that defendant is unlikely to abide any condition or combination of conditions
of release.

1 IT IS THEREFORE ORDERED that the defendant's release is revoked and he
2 is detained pending further order of the Court.

3 DATED this 22nd day of October, 2008.
4
5

6
7
8 A handwritten signature in black ink, appearing to read "Edward C. Voss", is written over a horizontal line.

9 Edward C. Voss
10 United States Magistrate Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28